REMARKS

Claims 1-4 are currently pending. Claims 1-4 were rejected in the Office Action. Claims 1, 2 and 4 have been amended. Reconsideration of the claims is respectfully requested.

A. Rejections Under 35 U.S.C. 102(b).

Claims 1-3 were rejected under 35 U.S.C. 102(b) as being anticipated by US 2,129,872 to Reiter. Applicant respectfully traverses.

Regarding claims 1 and 2, applicant has amended claims 1 and 2 to require "wherein movement of the safety belt is discouraged by a clamping connection formed by the adjacency of the third horizontal member to the first horizontal member when the third horizontal member is slid toward the first horizontal member, and by the adjacency of the third horizontal member to the second horizontal member when the third horizontal member is slid toward the second horizontal member." Reiter, on the other hand, discourages movement of the safety belt through the use of prongs and mechanical stitching. In particular, Reiter discloses that:

> The end 23 of the belt or strap to be secured to the cross bar, after having been inserted between the plates 20, 25 and the body portion 21, need not be looped about the cross bar, but is readily secured in place by merely bending said plates toward the body portion 21, and into substantially parallel relation thereto. When this is done, said plates firmly hold the belt end in place while at the same time the *prongs 22 either puncture the belt end or force the material of said belt end into the perforations or recesses 24*. Whether or not the belt end is punctured by the prongs 22, said *prongs enter the recesses or perforations 24 and thereby mechanically stitch the belt end to the cross bar* (Figs. 1, 2 and 3). Page 1, col. 2, lines 36 – 50 [emphasis added].
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> The strap 30 is passed underneath the end bars 18 and 19 but over the cross bar 13 into the position shown in Figs. 1, 2 and 3. When the belt is tensioned, the cross bar 13 moves towards the right as viewed in Fig. 1, whereby *the prongs 28 and 29 cooperate with the edge 31 of the end bar 19* to adequately secure the belt 30 in place and to maintain it removably in its thus secured position. Should the belt 30 be passed in the opposite direction underneath the end bar 19, then over the cross

> bar, then underneath the cross bar 18, then tension applied to the belt causes the cross bar 13 to slide towards the left as viewed in Fig. 1, so that *the prongs 26 and 27 cooperate with the edge 32 of the end bar 18* to secure the belt in place. Page 2, col. 1, lines 5 – 20 [emphasis added].

As will be appreciated, Reiter fails to disclose all elements of amended claims 1 and 2. Specifically, Reiter fails to disclose the "clamping connection" found in amended claims 1 and 2. Applicant therefore respectfully submits that claims 1 and 2 are allowable in view of the references cited of record and requests withdrawal of the rejection of claims 1 and 2.

Claim 3 depends from claim 2 and therefore includes all of the elements of claim 2. It is therefore respectfully submitted that claim 3 is allowable over the cited references for at least the reasons recited above with respect to claim 2.

B. Rejections Under 35 U.S.C. 103

Claim 4 was rejected under 35 U.S.C. 103(a) over Reiter in view of prior art figure 2.

Regarding claim 4, applicant has amended claim 4 to require "wherein movement of the safety belt is discouraged by a clamping connection formed by the adjacency of the third horizontal member to the first horizontal member when the third horizontal member is slid toward the first horizontal member, and by the adjacency of the third horizontal member to the second horizontal member when the third horizontal member is slid toward the second horizontal member." Reiter, on the other hand, discourages movement of the safety belt through the use of prongs and mechanical stitching. In particular, Reiter discloses that:

> The end 23 of the belt or strap to be secured to the cross bar, after having been inserted between the plates 20, 25 and the body portion 21, need not be looped about the cross bar, but is readily secured in place by merely bending said plates toward the body portion 21, and into substantially parallel relation thereto. When this is done, said plates firmly hold the belt end in place while at the same time the *prongs 22 either puncture the belt end or force the material of said belt end into the perforations or recesses 24*. Whether or not the belt end is punctured by the prongs 22, said *prongs enter the recesses or perforations 24 and thereby*

> *mechanically stitch the belt end to the cross bar* (Figs. 1, 2 and 3). Page 1, col. 2, lines 36 – 50 [emphasis added].
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> The strap 30 is passed underneath the end bars 18 and 19 but over the cross bar 13 into the position shown in Figs. 1, 2 and 3. When the belt is tensioned, the cross bar 13 moves towards the right as viewed in Fig. 1, whereby *the prongs 28 and 29 cooperate with the edge 31 of the end bar 19* to adequately secure the belt 30 in place and to maintain it removably in its thus secured position. Should the belt 30 be passed in the opposite direction underneath the end bar 19, then over the cross bar, then underneath the cross bar 18, then tension applied to the belt causes the cross bar 13 to slide towards the left as viewed in Fig. 1, so that *the prongs 26 and 27 cooperate with the edge 32 of the end bar 18* to secure the belt in place. Page 2, lines 5 – 20 [emphasis added].

As will be appreciated, Reiter fails to disclose all elements of amended claim 4. Specifically, Reiter fails to disclose the "clamping connection" found in amended claim 4.

With regards to FIG. 2 of the application, the figure fails to disclose that any of the horizontal members 12, 14, or 16 are capable of sliding action where it would be possible that "movement of the safety belt is discouraged by a clamping connection formed by the adjacency of the third horizontal member to the first horizontal member when the third horizontal member is slid toward the first horizontal member, and by the adjacency of the third horizontal member to the second horizontal member when the third horizontal member is slid toward the second horizontal member."

Applicant notes that to establish a *prima facie* case of obviousness, three basic criteria must be met including the requirement that all claim limitations must be taught or suggested. In particular, the MPEP states that:

> [f]irst, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all claim limitations. MPEP 706.02(j) [emphasis added]; *See also* MPEP 2143.01 – 2143.03.

None of the cited references, either alone or in combination, disclose all claim limitations of claim 4. Applicant therefore respectfully submits that claim 4 is allowable in view of the references cited of record and requests withdrawal of the rejection of claim 4.

C. Conclusion

Applicant has amended claims 1, 2 and 4. Reconsideration of the present application as amended is respectfully requested.

It should be understood that the above remarks are not intended to provide an exhaustive basis for patentability or concede any basis for rejections or objections in the Office Action. Further, with regards to the various statements made in the Office Action concerning any prior art, the teachings of any prior art are to be interpreted under the law. Applicant makes no admissions as to any prior art. The remarks herein are provided simply to overcome the rejections and objections made in the Office Action in an expedient fashion.

The Examiner is invited to call the undersigned attorney to address any outstanding matters concerning the present Application.

Respectfully submitted,

By _____

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